



So Ordered.

Signed this 27 day of August,

Robert E. Littlefield, Jr.

United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

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IN RE:

CASE NO.: 14-12107-rel

David Warnken and Michele D. Warnken,

CHAPTER 13

Debtors.

Hon. Robert E. Littlefield, Jr.
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CONDITIONAL ORDER

That on or about July 6, 2015, the office of Frenkel, Lambert, Weiss, Weisman & Gordon, LLP, as attorneys for Movant CitiMortgage, Inc., submitted a Motion for Relief with respect to the property commonly known as 66 Van Buren Avenue, Ravena, New York 12143, and Debtors having requested additional time to cure the post petition arrears. Therefore, the parties agree as follows:

Debtors are presently in default and owe arrears in the amount of \$12,322.70. Said figure is comprised of eight (8) monthly payments at \$1,592.27 for January 1, 2015 through August 1, 2015, less Debtors suspense balance of \$415.46. Accordingly it is

ORDERED, that Debtors must cure the post petition arrears as follows:

- a) On or before September 1, 2015, the Debtors are to forward \$2,053.79; and

- b) On or before October 1, 2015, the Debtors are to forward \$2,053.79; and
- c) On or before November 1, 2015, the Debtors are to forward \$2,053.78; and
- d) On or before December 1, 2015, the Debtors are to forward \$2,053.78; and
- e) On or before January 1, 2016, the Debtors are to forward \$2,053.78; and
- f) On or before February 1, 2016, the Debtors are to forward \$2,053.78; and

Payments pursuant to this agreement must be in the form of certified check, bank check, or money order payable to CitiMortgage. Payments must be forwarded directly to:

CitiMortgage Inc.
PO Box 183040
Columbus, OH 43218-3040

and it is further

ORDERED, that Debtors shall forward their regular monthly payments in a timely fashion, in accordance with the terms of the note and mortgage, beginning with the September 1, 2015 payment; and it is further

ORDERED, that in the event that there should be an increase in the regular monthly payment for taxes, insurance, or as otherwise provided by the mortgage, the regular monthly payment shall be increased accordingly. Such increased payment shall then constitute the regular payment amount required under this Conditional Order and failure to pay same shall constitute a default hereunder; and it is further


ORDERED, that in the event Debtors fail to comply with the terms set forth herein, the Movant may serve the Debtors, via certified mail, and the Debtors' attorney via regular mail, a 10 Day Notice of Default, for which a fee of \$50.00 may be charged, except in no event shall

debtors be entitled to more than 2 notices to cure over the life of the Chapter 13 case and should said default not be timely cured, it is further

ORDERED, that CitiMortgage, Inc. may submit an ex parte order seeking relief from the stay and upon the signing of said order, the automatic stay as it pertains to CitiMortgage, Inc., its successors and/or assigns, shall be vacated.


Consented to:

Dated: *August 25, 2015*


By: Karen M. Sheehan, Esq.,
Frenkel Lambert Weiss Weisman & Gordon, LLP
Attorneys for CitiMortgage Inc.
53 Gibson Street
Bay Shore, New York 11706
(631) 969-3100
Our File: 01-074216-B01

Consented to:

Dated:


By: _____, Esq.,
Attorney for Debtors
314 Great Oaks Boulevard
Albany, New York 12203
(518) 690-4400

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